



Virginia  
Regulatory  
Town Hall

## Notice of Intended Regulatory Action Agency Background Document

<b>Agency Name:</b>	Department of Labor and Industry
<b>VAC Chapter Number:</b>	16 VAC 25-50
<b>Regulation Title:</b>	Boiler and Pressure Vessel Rules and Regulations
<b>Action Title:</b>	Amendments to Current Regulation
<b>Date:</b>	June 11, 2001

This information is required prior to the submission to the Registrar of Regulations of a Notice of Intended Regulatory Action (NOIRA) pursuant to the Administrative Process Act § 9-6.14:7.1 (B). Please refer to Executive Order Twenty-Five (98) and Executive Order Fifty-Eight (99) for more information.

### Purpose

*Please describe the subject matter and intent of the planned regulation. This description should include a brief explanation of the need for and the goals of the new or amended regulation.*

This regulation provides procedures to protect human life and property from the unsafe or dangerous construction, installation, inspection, operation, and repair of boilers and pressure vessels in the Commonwealth of Virginia.

Amendments are necessary to decrease the frequency of inspections for certain pressure vessels to more practical limits without affecting safety. In order to take advantage of the latest technology available, the references to national standards should be updated to current. Other housekeeping changes are updated to facilitate electronic reporting.

### Basis

*Please identify the state and/or federal source of legal authority to promulgate the contemplated regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or discretionary. The correlation between the proposed regulatory action and the legal authority identified above should be explained. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided.*

The regulation is mandated by Sections 40.1-51.6 through 40.1-51.10 of the Code of Virginia. The scope of the mandate is that “no boiler or pressure vessel which does not conform to the rules and regulations of the (Safety and Health Codes) Board governing new construction and installation and which has been certified by the Board shall be installed or operated in this Commonwealth after twelve months from July 1, 1973.”

## Substance

*Please detail any changes that would be implemented: this discussion should include a summary of the proposed regulatory action where a new regulation is being promulgated; where existing provisions of a regulation are being amended, the statement should explain how the existing regulation will be changed. The statement should set forth the specific reasons the agency has determined that the proposed regulatory action would be essential to protect the health, safety or welfare of citizens. In addition, a statement delineating any potential issues that may need to be addressed as the regulation is developed shall be supplied.*

The following amendments are being proposed:

1. Delete subparagraph G (Hobby boiler) in 16 VAC 25-50-20. Reason for the change is to eliminate possible conflicts with the recently enacted statute (Section 40.1-51.19) covering hobby boilers.
2. Change inspection frequency of air compressor tanks in 16 VAC 25-50-30 from two (2) to three (3) years. Change inspection frequency of certain non-toxic pressure vessels from two (2) to five (5) years. Updating frequencies to be similar to 11 other jurisdictions satisfies new risk assessment strategies.
3. Allow use of credit cards in 16 VAC 25-50-150 which will facilitate the use of electronic reporting and allow DOLI to receive payments sooner.
4. Delete reference of obsolete ASME Code Section VII in 16 VAC 25-50-330.
5. Adopt Part CW (Steam and Waterside Control) of CSD-1-1998 to replace a reference to CSD-1 1992 in 16 VAC 25-50-340 and 16 VAC 25-50-440. This national standard contains provisions for improving the safe operation of steam boilers and pressure vessels by requiring redundant controls with manual resets on new installations.
6. Update references to 2001 editions of the NFPA 85 Boiler and Combustion Systems Hazards Code, ASME Code and National Board Inspection Code to take advantage of the latest technical advances in safety.

## Alternatives

*Please describe, to the extent known, the specific alternatives to the proposal that have been considered or will be considered to meet the essential purpose of the action.*

Because the regulation is mandated by the Code of Virginia, no viable alternatives exist. The agency will consider comments from affected citizens during the regulatory process.

**Family Impact Statement**

*Please provide a preliminary analysis of the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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The regulation does not apply to residences. However, it has a very positive influence on family stability and autonomy by protecting the public safety and health in large apartment buildings, the workplace, and other public buildings such as schools or churches where members of a family may congregate.